

REFERENCE TITLE: missing persons; DNA identification

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1556

Introduced by
Senator Brotherton

AN ACT

AMENDING TITLE 41, CHAPTER 12, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 13; AMENDING SECTION 41-2418, ARIZONA REVISED STATUTES; RELATING TO MISSING PERSONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 12, Arizona Revised Statutes, is amended by adding article 13, to read:

ARTICLE 13. MISSING PERSONS

41-1830.51. Arizona deoxyribonucleic acid missing persons identification database

A. THE DEPARTMENT OF PUBLIC SAFETY SHALL DEVELOP AN ARIZONA DEOXYRIBONUCLEIC ACID MISSING PERSONS IDENTIFICATION DATABASE FOR CASES INVOLVING UNIDENTIFIED DECEASED PERSONS OR REPORTED MISSING PERSONS.

B. THE DATABASE SHALL CONSIST OF DEOXYRIBONUCLEIC ACID PROFILES THAT ARE DEVELOPED FROM THE REMAINS OF UNIDENTIFIED DECEASED PERSONS, ITEMS THAT ARE ASSOCIATED WITH THE MISSING PERSONS OR SAMPLES FROM RELATIVES OF THE MISSING PERSONS AND THAT ARE SUBMITTED TO THE DEPARTMENT OF PUBLIC SAFETY BY A LAW ENFORCEMENT AGENCY OR MEDICAL EXAMINER. THE DATABASE SHALL REMAIN SEPARATE FROM THE DATABASE ESTABLISHED BY SECTION 41-2418 FOR THE PURPOSES OF SECTION 13-610.

C. A MEDICAL EXAMINER OR LAW ENFORCEMENT AGENCY SHALL SUBMIT SAMPLES FROM THE REMAINS OF UNIDENTIFIED PERSONS TO THE DEPARTMENT OF PUBLIC SAFETY FOR DEOXYRIBONUCLEIC ACID TESTING AND INCLUSION IN THE DATABASE.

D. A MEDICAL EXAMINER OR ANOTHER PERSON SHALL NOT DISPOSE OF OR ENGAGE IN ACTIONS THAT WILL MATERIALLY AFFECT THE UNIDENTIFIED HUMAN REMAINS BEFORE THE MEDICAL EXAMINER DOES THE FOLLOWING:

1. OBTAINS SAMPLES THAT ARE SUITABLE FOR DEOXYRIBONUCLEIC ACID IDENTIFICATION AND ARCHIVING.

2. OBTAINS PHOTOGRAPHS OF THE UNIDENTIFIED HUMAN REMAINS.

3. EXHAUSTS ALL OTHER APPROPRIATE STEPS FOR IDENTIFYING THE UNIDENTIFIED HUMAN REMAINS.

E. ANY DEOXYRIBONUCLEIC ACID SAMPLES THAT ARE COLLECTED PURSUANT TO THIS SECTION AND THE RESULTS OF ANY DEOXYRIBONUCLEIC ACID TESTS THAT ARE CONDUCTED PURSUANT TO THIS SECTION ARE CONFIDENTIAL AND SHALL ONLY BE DISCLOSED TO LAW ENFORCEMENT OR MEDICAL EXAMINER PERSONNEL FOR APPROPRIATE LAW ENFORCEMENT OR MEDICAL EXAMINER PURPOSES, INCLUDING NOTIFICATION TO A VICTIM'S FAMILY.

Sec. 2. Section 41-2418, Arizona Revised Statutes, is amended to read:

41-2418. Arizona deoxyribonucleic acid identification system

A. The Arizona deoxyribonucleic acid identification system is established in the department of public safety for the purposes of conducting deoxyribonucleic acid testing and analysis pursuant to ~~section~~ SECTIONS 13-610 AND 41-1830.52.

B. The scientific criminal analysis section established in section 41-1771 shall establish procedures for the implementation of section 13-610, subsection H AND SECTION 41-1830.52.